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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 006331

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TAGS: [PGOV](#) [KDEM](#) [KISL](#) [ID](#)
SUBJECT: LEGISLATURE AIMING TO PASS ACEH LAW

REF: A. JAKARTA 5858 (SYARIAH IN ACEH)

[1](#)B. JAKARTA 1374 (DPR TAKES UP ACEH LAW)

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Classified By: Political Officer David R. Greenberg, reason: 1.4 (b) and (d).

SUMMARY

[1](#)1. (C) The Indonesian House of Representatives (DPR) aims to pass the Law on Governing Aceh within weeks, and a senior member of the Special Committee deliberating the draft considered this goal attainable. Golkar legislator Marzuki Darusman told us on May 8 that political parties sought to avoid a perception they would impede peace in Aceh, and both the government and the Free Aceh Movement (GAM) had shown flexibility on contentious issues. Yudhoyono's political opponents, however, may seize the opportunity to use the bill's more controversial components to criticize the government. Marzuki predicted the DPR would modify some aspects of the draft law, but these changes would not jeopardize the peace agreement. Another source, however, predicted that the DPR would more substantially revise certain provisions of the draft law. End Summary.

SPECIAL COMMITTEE DELIBERATING BILL

[1](#)2. (SBU) A DPR Special Committee is currently deliberating the draft Law on Governing Aceh. (Note: Ref B described the main issues covered by this law, including provisions relating to elections, economic activity, and religious life. End Note.) All factions of the DPR have representatives in the Special Committee, so a product that emerges backed by consensus would appear headed for easy passage in a plenary session. Numerous contentious issues remain to be resolved, however, and the DPR's current target of passage by early June at the latest appears optimistic, but not necessarily impossible given the high-level attention this bill has received. (Note: The Memorandum of Understanding between the GOI and GAM called for this law's passage by March 31, but that time frame appeared highly unrealistic from the beginning. End Note.)

[1](#)3. (C) Our contacts have continued to identify the Indonesian Democratic Party - Struggle (PDI-P) as the leading critic of the administration-drafted law. In the past, PDI-P has criticized the GOI-GAM MOU on ideological grounds. While one

contact believed that PDI-P might seek to extract concessions from other parties in return for support on the Aceh Law, Marzuki Darusman -- a Golkar member of the Special Committee -- told us May 8 that PDI-P's legislators seemed not to be using the law as a bargaining chip; they had not become obstructive, he said, but instead offered constructive input. Marzuki believed that no political party wanted to be perceived as blocking peace in Aceh.

14. (C) Marzuki believed that GAM also had adopted a flexible approach; he predicted that the law, in its final form, might deviate in some respects from the MOU, but GAM would accept a law generally in accordance with the MOU, recognizing that the Yudhoyono administration did not control the DPR. The administration, too, was proving flexible. The cabinet ministers responsible for working with the DPR on the bill -- Minister of Home Affairs Ma'ruf, State Secretary Mahendra, and Communications Minister Djalil -- had shown a willingness to establish a legal basis for candidates running in local elections without requiring the nomination of a political party. This concept, contrary to existing law, had been hinted at in the MOU but would require new language, as it had not appeared in the draft law submitted to the DPR.

15. (C) When we recently discussed the bill with Prosperous Justice Party (PKS) Chairman Tifatul Sembiring, he said his party's position, as determined by the PKS Syuro Council, had only two main points: PKS wanted the law to reflect the aspirations of the Acehnese people, and Aceh could not break free from Indonesia. (Comment: The simplicity of PKS's position does not reflect apathy toward the situation in Aceh; PKS performed better in Banda Aceh than in any other city in 2004's elections, winning over 30 percent of the vote, and Tifatul himself hails from Sumatra. PKS likely wants to avoid antagonizing any side in the debate, especially Acehnese voters. End Comment.)

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16. (C) Despite these signs of flexibility, Dave Laksono, a mid-level Golkar official who functions as a right-hand operative of DPR Chairman Agung Laksono, noted substantial work remained on the Aceh bill. Dave told us that the Yudhoyono administration, heeding the MOU, had reluctantly included some provisions in the draft law that it did not support, such as providing a framework for local political parties and direct economic or business dealings between the Aceh government and foreign entities. (Ref B explained these and other provisions.) Dave told us that the GOI would rely on the DPR to scale back these provisions (and take the political heat from the Acehnese).

ISLAMIC LAW

17. (C) Based on local regulations, Islamic Law (Syariah) is already in effect in Aceh (ref A). As detailed in ref B, the current draft law does not specify the manner in which Syariah would be implemented, but it does in numerous articles refer generally to Syariah law being in effect. Some legislators appear uncomfortable with this, but none have indicated to us that there will be a push on the Special Committee to water down or excise these already-vague provisions.

ENVELOPE PAYMENTS CAUSE A STIR

18. (C) In April the Home Affairs Ministry provided some \$150,000 in total to members of the DPR Special Committee in compensation for the individual committee members' time and effort on the bill. While a time-honored tradition that now continues under the Yudhoyono Administration, media attention to the envelopes of cash caused a stir and prompted some committee members to return their traditional honorarium. Marzuki described the envelope issue as simply a sideshow

that had no bearing on the content of the DPR deliberations. As of May 15, some DPR members continued to call for an inquiry into the payments, prompting a DPR Ethics Board meeting with DPR Chairman Agung Laksono.

COMMENT

19. (C) The status of Aceh and related matters, such as the role of Islamic law in that province, represent important, hot-button issues. It remains unclear how legislators will establish modalities to allow GAM figures to run for public office in upcoming elections. It is difficult to envision that this debate will not become contentious, politicized, and drawn out, and that PDI-P will pass up the chance to use the bill's provisions to criticize the Yudhoyono administration. Optimism that the bill can pass quickly may fade as battle lines are drawn. That said, if political party leaders agree to force this bill through the House, it could pass before the DPR's next recess in mid-July.

PASCOE